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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Ryiochi KAWADA et al.**

Group Art Unit: **2613**

Serial No.: **09/873,276**

Examiner: **Charles E. Parsons**

Filed: **June 5, 2001**

Confirmation No.: **6026**

For: **DETECTION APPARATUS FOR ROAD OBSTRUCTIONS**

Attorney Docket Number: **010715**

Customer Number: **38834**

RESPONSE UNDER 37 C.F.R. § 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

November 23, 2004

Sir:

In response to the Office Action dated August 26, 2004, Applicants submit the following remarks.

REMARKS

Claims 1-5 are pending in the application. Claims 1 and 3 are rejected. Claims 2, 4 and 5 are allowed.

Claim Rejections - 35 U.S.C. §103

Claims 1 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Shimizu* in view of *Huang*.

Applicants respectfully disagree with this rejection because the cited references, even if properly combined, fail to teach or suggest all the limitations of the claimed invention.

Applicants first note that the camera of Shimizu is a motion detector for surveillance monitoring images in a scene, while the present invention is directed toward a detection